

EXHIBIT A

Cleetus McHenry 4/6/2017

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

UNITED STATES, ex rel.
RICKEY HOWARD, BRINGING
THIS ACTION ON BEHALF OF
THE UNITED STATES OF
AMERICA

PLAINTIFF

VS.

CASE NO. 7:11-cv-270-H

CADDELL CONSTRUCTION
COMPANY, INC., an Alabama
Corporation; W.G. YATES &
SONS CONSTRUCTION
COMPANY, a Mississippi
Corporation and JULIAN
MARIE BRESLOW

DEFENDANTS

DEPOSITION OF CLEETUS MCHENRY

Taken at the instance of the Plaintiffs, at Phelps
Dunbar at 4270 I-55 North, Jackson, Mississippi, on
Thursday, April 6, 2017, beginning at 9:00 a.m.

REPORTED BY: Robin G. Burwell, CSR #1651
Brooks Court Reporting, Inc.
12 Lakeland Circle, Suite A
Jackson, Mississippi 39216

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1 between Power Mulch and S.T. Wooten ever cross your
2 desk?

3 A. I'm sure it did.

4 Q. Did you read it?

5 A. The contract?

6 Q. Yeah.

7 A. If it came across my desk I read it.

8 Q. Did you understand that Power Mulch was
9 required to use S.T. Wooten to perform the bridge
10 construction work?

11 A. I don't remember the specific language. I
12 know -- I do know that S.T. Wooten was the bridge
13 contractor.

14 Q. And the same with the food service vendor,
15 a company called Hawk I think out of Atlanta?

16 A. Yeah, I don't -- I don't remember -- it's
17 been a while since I looked at the contracts. I
18 don't remember that it -- as it -- I don't remember
19 it specifically saying that, but that's -- if you --
20 if you have it and you've seen it, then it says what
21 it says.

22 Q. Do you remember what the fee that was paid
23 to Power Mulch for passing that contract through to
24 S.T. Wooten was, what amount -- what percentage
25 amount they received for that?

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1 MR. TRAPP: Object to the form.

2 THE WITNESS: I would say that there were
3 -- there -- as you mentioned, there were several. I
4 don't specifically remember the rates at this point.
5 I know the range of what they were, so...

6 Q. (By Mr. Rabon) What was the range?

7 A. I would say it's just probably 1 to
8 2-and-a-half, possibly 3 percent.

9 Q. So there's times that you met with Kim
10 Vallone. Did you tell her that these companies like
11 Power Mulch were not actually involved in
12 engineering and building the bridge, they were
13 simply passing through the work to an S.T. Wooten?

14 MR. TRAPP: Object to the form.

15 THE WITNESS: We -- we met with Kim
16 Vallone and explained our program in detail. And we
17 did explain that we had a bridge contractor that was
18 working with a small business and that the small
19 business would be managing the overall process, but
20 would not be performing the actual labor and work on
21 those contracts.

22 Q. (By Mr. Rabon) Did you tell her that they
23 were managing the project?

24 A. That they were managing the project?

25 Q. Yeah.